Remarks/Arguments

35 U.S.C. §102

Claims 1, 2, 11, 12, 21 and 22, stand rejected under 35 U.S.C. §102(b) as being anticipated by Thibadeau et al. (U.S. Patent No. 5,432.542), hereinafter Thibadeau.

The present invention, as recited by the amended claim 1, describes a method for controlling an apparatus having an emergency alert function, comprising: detecting a condition indicating relocation of said apparatus after a power interruption to said apparatus; enabling a predetermined output associated with said emergency alert function responsive to detecting said condition; and enabling a user to provide updated information associated with the emergency alert function responsive to detecting said condition.

It is respectfully asserted that Thibadeau fails to disclose "enabling a user to provide updated information associated with the emergency alert function responsive to detecting [a condition indicating relocation of said apparatus after a power interruption]," as described in currently amended claim 1.

Thibadeau teaches a system where "location specific messages or programming are generally broadcast and selectively filtered by user terminals which have encoded one or more arbitrary locations of interest. The area surrounding a user, a remote location, a route to be travelled or the like may be selected for receipt of local warnings, local commercial messages and the like. Transmitted messages contain information targeted to geographical groups of users, with location designation coding accompanying location-specific messages. A geographic location selection code is entered into a data processor coupled to the user's receiver to define the user's selected location(s) of interest. The processor receives the information segment and its designation code and compares the designated location to the selected one. Segments where the designated and selected points or areas overlap are processed, e.g., being displayed, stored or used to trigger a warning." (Thibadeau Abstract)

The Office Action asserts that Thibadeau "discloses a method for controlling an apparatus having an emergency alert function (column 4, lines 37-69), comprising:

detecting a condition indicating relocation of said apparatus (column 14, lines 42-60) after a power interruption to said apparatus (column 15, lines 19-26); and enabling a predetermined output associated with said emergency alert function responsive to detecting said condition (column 14, line 42-column 15, line 18)." (Office Action, page 2)

The portions of Thibadeau cited by Examiner relate to "portable receivers such as those in vehicles." (Thibadeau, column 14, lines 43-44) For these applications, Thibadeau explains that "dynamic global positioning system (GPS) input information, roadside location transmitters, or preprogrammed route information, location data can be received or entered for updating a present location of the receiver." (lines 54-58) Thus, Thibadeau, in this passage, generally envisions a device that is continuously powered on and location-aware, which does not require user input related to location. Furthermore, instead of enabling user input of a new location after detection of a power outage and relocation, Thibadeau actually teaches away from this concept, stating that the "set-top unit should retain its location information across transient events such as power failures." (Thibadeau, column 15, lines 19-20) This would be directly at odds with an aim of the present invention, which is to alert the user that new location information is required after device relocation and obtain that information from the user to ensure that geographically appropriate alerts are provided in the future. Additionally, Thibadeau states that the "set-top unit can be programmed with frequently queried location information or shorthand location keys, such as the user's home or business telephone number or street address, and such location information can form a default value which the processor always monitors, in addition to any other information which the user chooses to select." (Thibadeau, column 15, lines 7-13, emphasis added) Again, Thibadeau fails to address the impact of a relocation of the set-top box during power-off or provide a mechanism to prompt the user for a new location after such relocation.

Thus, Thibadeau fails to disclose "enabling a user to provide updated information associated with the emergency alert function responsive to detecting [a condition indicating relocation of said apparatus after a power interruption]," as described in currently amended claim 1.

In view of the above remarks and amendments to the claims, it is respectfully submitted that there is no 35 USC 112 enabling disclosure provided by Thibadeau that makes the present invention as claimed in currently amended claim 1 unpatentable. It is further submitted that currently amended independent claims 11 and 21 are allowable for at least the same reasons that claim 1 is allowable. Since dependent claims 2-10, 12-20, and 22-30 are dependent from allowable independent claims 1, 11, and 21 respectively, it is submitted that they too are allowable for at least the same reasons that their respective independent claims are allowable. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

35 U.S.C. §103

Claims 3, 4, 13, 14, 23 and 24, stand rejected under 35 U.S.C. §103(a) as being unpatentable over Thibadeau.

Claims 5-7, 15-17, and 25-27, stand rejected under 35 U.S.C. §103(a) as being unpatentable over Thibadeau as applied to claims 1, 11 and 21 above, and further in view of Lau et al. (U.S. Patent No. 5,592,173), hereinafter Lau.

Claims 8, 18 and 28, stand rejected under 35 U.S.C. §103(a) as being unpatentable over Thibadeau and Lau as applied to claims 5, 15 and 25 above, and further in view of Lamb (U.S. Patent No. 6,329,904).

Claims 9, 10, 19, 20, 29, 30, stand rejected under 35 U.S.C. §103(a) as being unpatentable over Thibadeau as applied to claims 1, 11 and 21 above, and further in view of Lamb.

Lau teaches "a GPS receiver having a normal mode to receive GPS satellite signals and to provide location information, and a low power standby mode. A microprocessor system in the GPS receiver causes the GPS receiver to alternate between the normal mode and the low power standby mode in order to reduce the average power consumption in the GPS receiver. In the normal mode a GPS antenna receives GPS satellite signals, the GPS frequency downconverter converts the frequency of the GPS satellite signals to an

intermediate frequency, a digital signal processing system processes the intermediate frequency to provide GPS satellite signal correlation information. The microprocessor system processes the correlation information and provides location information to a user. In the standby mode, the operating power is inhibited in the GPS antenna and the GPS frequency downconverter, the system clock is inhibited in the digital processing system, and the microprocessor clock is inhibited in the microprocessor..." (Lau Abstract)

Lamb teaches a system where "an apparatus, including an alert device having a receiver, and method are provided for receiving location-specific alert information broadcast via particular telecommunication transmitters operating within a cellular, PCS, or other wireless telecommunications network, thereby allowing delivery of a location-specific message to a user without requiring the input of data representative of the location of the alert device's receiver. The alert device includes a receiver for receiving digital messages in the form of broadcast short messages on a digital control channel, a microcomputer having a monitoring circuit that monitors received digital messages for the presence of an alert code associated with alert messages regarding an alert condition, and a plurality of peripheral devices which produce various tones and flashing lights in response to the alert device's reception of an appropriate alert message." (Lamb Abstract)

As described above, Thibadeau fails to disclose "enabling a user to provide updated information associated with the emergency alert function responsive to detecting [a condition indicating relocation of said apparatus after a power interruption]," as described in currently amended claim 1. Similarly, neither Lamb nor Lau disclose, nor does the Office Action assert that they disclose, "enabling a user to provide updated information associated with the emergency alert function responsive to detecting [a condition indicating relocation of said apparatus after a power interruption]," as described in currently amended claim 1. Thus, none of Thibadeau, Lamb, and Lau, alone or in combination, disclose "enabling a user to provide updated information associated with the emergency alert function responsive to detecting [a condition indicating relocation of said apparatus after a power interruption]," as described in currently amended claim 1.

In view of the above remarks and amendments to the claims, it is respectfully submitted that there is no 35 USC 112 enabling disclosure provided by Thibadeau, Lau, or Lamb, alone or in combination, that makes the present invention as claimed in claims 3, 4, 13, 14, 23, 24, 5-7, 15-17, 25-27, 8, 18, 28, 9, 10, 19, 20, 29, or 30 unpatentable. Furthermore, since all of the claims rejected here under 35 U.S.C. §103(a) are dependent from allowable independent claims 1, 11, and 21 respectively, it is submitted that they too are allowable for at least the same reasons that their respective independent claims are allowable. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's representative at (609) 734-6804, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,

By: Brian J Cromarty
Reg. No. L0027
Phone (609) 734-6804

Patent Operations
Thomson Licensing Inc.
P.O. Box 5312
Princeton, New Jersey 08543-5312
June 9, 2008